

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

JAMES MATHIEU,

Plaintiff,

v.

CITY OF CINCINNATI POLICE
IMPOUND,

Defendant.

Case No. 1:22-cv-252

Judge Jeffery P. Hopkins

ORDER ADOPTING REPORT AND RECOMMENDATION

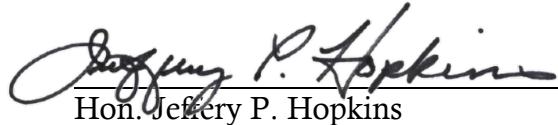
The Court has reviewed the Report and Recommendation of United States Magistrate Judge Karen L. Litkovitz (Doc. 23) to whom this case was referred pursuant to 28 U.S.C. § 636(b). Noting that no objections have been filed and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, the Court hereby **ADOPTS** said Report and Recommendation in its entirety.

Accordingly, it is hereby **ORDERED** that the Complaint be **DISMISSED** with prejudice for want of prosecution pursuant to Fed. R. Civ. P. 41(b). For the reasons stated in the Report and Recommendation and pursuant to 28 U.S.C. § 1915(a), the Court certifies that an appeal of this Order would not be taken in good faith. The Court accordingly **DENIES** Plaintiff leave to appeal *in forma pauperis*. In accordance with Fed. R. App. P. 24(a)(5),

Plaintiff remains free to file a motion for leave to proceed on appeal *in forma pauperis* in the Sixth Circuit Court of Appeals. *Callihan v. Schneider*, 178 F.3d 800, 803 (6th Cir. 1999).

IT IS SO ORDERED.

Dated: June 15, 2023



Hon. Jeffery P. Hopkins
United States District Judge